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**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION**

**J & J SPORTS PRODUCTIONS, INC.,**

**Plaintiff,**

**vs.**

**ROMARICO SALVADOR MIRANDA, et**  
**al.**

**Defendant.**

**CASE NO. 4:10-cv-05504-PJH**

**PLAINTIFF'S *EX PARTE***  
**APPLICATION FOR AN ORDER**  
**VACATING THE CASE**  
**MANAGEMENT CONFERENCE; AND**  
**ORDER (*Proposed*) CONTINUING CASE**  
**MANAGEMENT CONFERENCE**

**TO THE HONORABLE PHYLLIS J. HAMILTON, THE DEFENDANTS, AND HIS**  
**ATTORNEYS OF RECORD:**

Plaintiff J & J Sports Productions, Inc. hereby applies *ex parte* for an order vacating the Case Management Conference in this action, presently set for Thursday, April 28, 2011 at 2:00 P.M. This request will be, and is, necessitated by the fact that defendant Romarico Salvador Miranda, individually and d/b/a Wedge's a/k/a Wedge Bar & Restaurant is in default and Plaintiff's Application for Default Judgment will soon be filed before this Honorable Court.

As such, as of this writing, Plaintiff has yet to receive an answer or any other responsive pleading from the defendant. As a result, Plaintiff's counsel has not conferred with the defendant concerning the claims, discovery, settlement, ADR or any of the other pertinent issues involving the case itself or the preparation of a Case Management Conference Statement.





**PROOF OF SERVICE (SERVICE BY MAIL)**

I declare that:

I am employed in the County of Los Angeles, California. I am over the age of eighteen years and not a party to the within cause; my business address is 1114 Fremont Avenue, South Pasadena, California. I am readily familiar with this law firm's practice for collection and processing of correspondence/documents for mail in the ordinary course of business.

On April 20, 2011, I served:

**PLAINTIFF'S *EX PARTE* APPLICATION FOR AN ORDER VACATING THE  
CASE MANAGEMENT CONFERENCE; AND ORDER (Proposed)**

On all parties in said cause by enclosing a true copy thereof in a sealed envelope with postage prepaid and following ordinary business practices, said envelope was duly mailed and addressed to:

Romarico Salvador Miranda (Defendant)  
45 Wessix Court  
Daly City, CA 94015

I declare under the penalty of perjury pursuant to the laws of the United States that the foregoing is true and correct, and that this declaration was executed on April 20, 2011, at South Pasadena, California.

Dated: April 20, 2011

/s/ Maria Baird  
**MARIA BAIRD**